



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: D. Mark Durcan, et al.

Serial No.: 09/652,999

Filed: August 31, 2000

For: CONTAINER CAPACITOR STRUCTURE AND
METHOD OF FORMATION THEREOF

§
§ Group Art Unit: 2814
§
§ Examiner: DiLinh Nguyen
§
§ Atty. Docket: 98-1068.02
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#9
9/15/01
Payton

RESPONSE TO THE OFFICE ACTION OF JUNE 6, 2001

Assistant Commissioner for Patents

Washington, D.C. 20231

Certificate of Mailing (37 C.F.R. § 1.8)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date below:

9/6/01
Date

Charles Brantley
Signature

Dear Sir:

Applicants herein respond to the Office Action of June 6, 2001.

REMARKS

Claims 29 is pending.

Claims 29 is rejected.

Applicants request the reconsideration of the rejection.

I. Rejection of claim under §103

The Examiner rejected claim 29 as being obvious in light of Dennison (U.S. Patent 5,362,666) in combination with allegedly inherent features of the process disclosed therein. The Examiner believed that Dennison disclosed all of the acts in the claim except for masking and etching. Nevertheless, the Examiner assumed that the use of a mask is inherent in the process and that limiting etching using such a mask would be obvious. While masking and etching using a mask may be generally known to play a part in forming a container capacitor, Applicants argue

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